THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION Nos.26951, 26952 and 26961 OF 2006

DATED 3rd JANUARY, 2007

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Between

Dhatla Vijayakumar Raju

… Petitioner

AND

The Mandal Revenue Officer, Manuguru, Manuguru Mandal, Khammam District and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION Nos.26951, 26952 and 26961 OF 2006

COMMON ORDER:

These three writ petitions are disposed of by this common order.

The petitioners purchased the land in survey No.853 (Ac.25.03 guntas) situated at Ramanujavaram village of Manuguru Mandal in Khammam District under registered sale deed in 1965. In 1988 and 2005, the Mandal Revenue Officer (MRO) initiated action under A.P.Land Encroachment Act, 1905, (the Act, for brevity) but the same did not attain finality. Again in October, 2006, the MRO initiated action and issued notices under Section 7 of the Act. At that stage, the petitioners filed W.P.No.23181, 23214 and 23232 of 2006 before this Court. Giving liberty to the petitioners to submit explanations and further directing the MRO to consider explanations before passing orders under Section 6 of the Act, the writ petitions were disposed of. Thereafter, the petitioners submitted explanations on 11.11.2006. Ultimately the first respondent – MRO; passed orders on 16.12.2006. Immediately thereafter on 21.12.2006, the

petitioners submitted Appeals under Section 10 of the Act before the Revenue Divisional Officer (RDO) and also prayed for stay of the proceedings of the MRO in separate applications. The RDO did not pass any orders and therefore, present writ petitions are filed seeking direction to the appellate authority – second respondent; to pass orders on the applications made by the petitioners for the stay.

After hearing the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue (General-T), this Court is of considered opinion that instead of expressing any opinion on the inaction on the part of the second respondent, the writ petitions are disposed of directing the second respondent to consider and pass appropriate orders on the applications for stay filed by the petitioners along with the Appeals filed against the orders of the MRO, dated 16.12.2006. If no order is passed by the RDO, this Court will take a serious view of the matter.

The writ petitions are accordingly disposed of. No costs.

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(V.V.S.RAO,J)

03.01.2007.

Note: CC by 04.01.2007.

(By order)

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